

### **REMARKS/ARGUMENTS**

In an Office Action mailed on August 25, 2003, Claims 2-18 were objected to as being dependent from a rejected base claim (Claim 1), but were otherwise found to be allowable. Claim 1 was rejected as being anticipated by, or obvious in view of, U.S. Patent No. 4,615,759 to Ota (“Ota”) under 35 U.S.C. §§102(b) and 103(a). Figures 3-10 of the drawings were objected to as being too dark.

As a basis for the rejection, it was alleged that Ota discloses in Figures 1 and 2 an infeed station with belts 7 configured to receive veneer pieces oriented in a cross-machine direction, an adhesive application station 17 and a singulation station having a belt 4 that can present one piece of veneer at a time to the adhesive application station. In particular, it was alleged that the width of the belt 4 restricts its engagement to one piece of veneer at a time, thereby resulting in the belt 4 being a singulating engagement mechanism.

The Applicant respectfully disagrees. Ota’s disclosure of the provision of a single piece of veneer to the adhesive station 17 by the belt 4 is not due to the belt being able to singulate one veneer piece from a stack of veneer pieces. Only a single piece of veneer is addressed by the belt 4 at a time because that is all that is made available to the belt 4 by the upstream belts 7, as is evident from Figure 2. In contrast, the infeed station 11 of the present invention as described in Claim 1 is capable of receiving the wood pieces 20 that are in adjacent contact and the engagement mechanism of the singulation station is configured to engage only one of the wood pieces presented in adjacent contact by the infeed station, as shown in Figure 3 of the present application.

Further, it is improper to modify a reference when the only motivation to do so is the application under consideration. The only reason for modifying Ota is so that it could singulate veneer pieces. However, in Ota the veneer pieces have already been singulated prior to the single piece of veneer being made available to the belt 4. Therefore, without the presentation of multiple veneer pieces, one of skill in the art would not be motivated to modify Ota to teach an engagement mechanism that can engage only one of a plurality of wood pieces presented in adjacent contact, as described in Claim 1 of the present application.

In addition, even if multiple pieces of veneer were presented in an adjacent, contacting relationship by the belts 7 (which is what occurs in the present invention), nothing would stop the belt 4 of Ota from addressing the next consecutive veneer piece before the previous veneer piece had left the belt. Restricting the width of the belt 4 of Ota to less than the width of the veneer piece would still allow multiple veneer pieces to be addressed at one time because only portions of the veneer widths need to be in the belt 4 at any one time for the pieces to be moved simultaneously together towards the adhesive station 17.

Claim 1 of the present application has been amended to clarify that the infeed station is configured to receive wood pieces oriented in a cross-machine direction and in adjacent contact, and that the engagement mechanism is configured to engage only one of the wood pieces at a time while the wood pieces are oriented in the cross-machine direction and in adjacent contact. Therefore, the rejection of Claim 1 over Ota under 35 U.S.C. §§102(b) and 103(a) has been overcome and Claim 1 is in a condition for allowance.

Claims 2, 7, 8 and 11 have been amended to include the elements of originally filed Claim 1. Each of the remaining Claims 3-6, 9, 10 and 12-18 depend from one of Claims 2, 8 or 11. Therefore, the objection to Claims 2-18 has been overcome and Claims 2-18 are in a condition for allowance, as indicated in the Office Action. In addition, the objection to Figures 3-10 of the drawings has been overcome by the new formal drawings having clearly visible lines submitted herewith and to the Draftsperson.

In view of the proposed drawing corrections, amended specification, amended claims, and the remarks presented above, it is respectfully submitted that all of the claims of the present application are in condition for allowance. It is respectfully requested that a Notice of Allowance be issued in due course. The Examiner is requested to contact Applicants' undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required

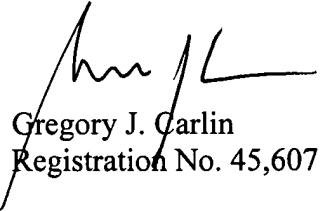
Appl. No.: 09/938,222

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Page 13

therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

  
Gregory J. Carlin  
Registration No. 45,607

**Customer No. 00826**

**ALSTON & BIRD LLP**

Bank of America Plaza

101 South Tryon Street, Suite 4000

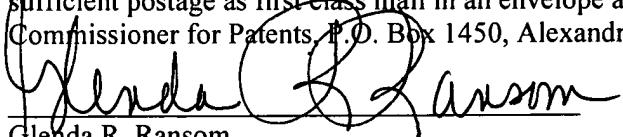
Charlotte, NC 28280-4000

Tel Charlotte Office (704) 444-1000

Fax Charlotte Office (704) 444-1111

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Glenda R. Ransom

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